

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

GERY LIVINGSTON GROSS, )  
                               )  
Plaintiff, pro se,      )  
                               )  
                               )  
                               ) NO. 3:04-0230  
USAA CORPORATION, USAA PROPERTY   )  
AND CASUALTY INSURANCE GROUP,      )  
and USAA BANK,                 )  
                               )  
Defendants.                 )

**O R D E R**

In accordance with the Memorandum filed herewith, the Defendants' motion to dismiss (Docket Entry No. 12) is **GRANTED** for this Court's lack of jurisdiction and Plaintiff's failure to state a claim upon which relief can be granted. This action is **DISMISSED** with prejudice.

This is the Final Order in this action.

It is so **ORDERED**.

ENTERED this the 12<sup>th</sup> day of October, 2005.

  
WILLIAM J. HAYNES, JR.  
United States District Judge